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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

ERIK MICHAEL BURCH,

Defendant and Appellant.

2d Crim. No. B267962
(Super. Ct. No. 2009045474)
(Ventura County)

Erik Michael Burch was charged with street terrorism (Pen. Code, § 186.22, subd. (a))¹ and accessory after the fact (§ 32), with criminal street gang and prior conviction allegations (§§ 186.22, subd. (b), 667.5, subd. (b)). The trial court declared a mistrial when the jury failed to reach a verdict. Burch's second trial was vacated when, pursuant to a plea agreement, he pled guilty to accessory after the fact and admitted the prior conviction allegation. The trial court sentenced him to the low term of 16 months in prison and struck the prior conviction allegation and the remaining count. Pursuant to the plea agreement, he was sentenced concurrently to a three-year sentence in Case No. 2009040707.² He received 192 days of presentence custody credit.

¹ All statutory references are to the Penal Code.

² Burch separately appealed that sentence, which is before us in Case No. B267718.

Appointed counsel filed a brief raising no issues and requesting our independent review pursuant to *People v. Wende* (1979) 25 Cal.3d 436. On March 21, 2016, we notified Burch that he had 30 days in which to advise us of any claims he wished us to consider. No response has been received.

We have reviewed the entire record and are satisfied that Burch's attorney has fully complied with his responsibilities and that no arguable issues exist. (*People v. Kelly* (2006) 40 Cal.4th 106, 123-124; *People v. Wende, supra*, 25 Cal.3d at pp. 441-442.)

The judgment is affirmed.

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PERREN, J.

We concur:

YEGAN, Acting P. J.

TANGEMAN, J.

Ryan J. Wright, Judge
Superior Court County of Ventura

Mark R. Feeser, under appointment by the Court of Appeal, for Defendant
and Appellant.

No appearance for Plaintiff and Respondent.